

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 1, Chama Mainstream

Acequia del Pueblo de Abiquiu

**ORDER ON PRIORITY DATE OF WATER RIGHTS
UNDER ACEQUIA DEL PUEBLO DE ABIQUIU**

THIS MATTER is before the Court following the April 11, 2011, *Motion for Order on Priority Date of Water Rights Under Acequia del Pueblo de Abiquiu* in Section 1 of the Rio Chama Stream System (Chama Mainstream) (Doc. No. 10,025).

The Court finds:

1. Pursuant to the *Amended Order on the Adjudication of Water right Priorities* (Doc. 3497, filed July 8, 1994), all known and unknown claimants of water rights under the Acequia del Pueblo de Abiquiu were served with a Notice and Order to Show Cause setting forth a priority date of 1734 for their water rights under this acequia. *See Certificate of Service* filed October 20, 1994 (Doc. No. 3526.A); *New Mexico's Certificate of Publication for Priority Date Notices and Orders to Show Cause* filed November 29, 1995 (Doc. No. 4413). The commissioners of the Acequia del Pueblo de Abiquiu (a community ditch) were served with a Notice and Order to Show Cause setting forth a priority date of 1734 for the water rights under this acequia. *See Certificate of Service* filed December 12, 1994 (Doc. No. 3979.33).

3. No objections to the proposed priority date of 1734 for water rights under the Acequia del Pueblo de Abiquiu were filed by either individual water users or the Acequia del Pueblo de Abiquiu.

4. There is no just reason for a delay for the entry of a final judgment as to the priority date of the water rights for lands irrigated by the Acequia del Pueblo de Abiquiu.

IT IS ORDERED, THEREFORE, that 1734 is the priority date of the water rights under the Acequia del Pueblo de Abiquiu.

IT IS FURTHER ORDERED, that the priority dates in all subfile orders heretofore entered in the Chama Mainstream Section that describe irrigation water rights under the Acequia del Pueblo de Abiquiu are revised and amended as follows:

Priority: 1734

The individual subfiles in the Chama Mainstream Section affected by the above provision of this Order are listed in Appendix 1 attached hereto.

IT IS FURTHER ORDERED, that the Court enters this Order as a final judgment, subject to the right of other water rights owners to file objections to individual adjudication orders prior to the entry of a final decree.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

Recommended for approval:

/s/
SPECIAL MASTER VICKIE L. GABIN

APPENDIX 1

"Adjudicated Owner" refers to the person or entity named on the subfile order originally filed with the court. This person or entity may or may not be the current owner of the lands or water rights that are the subject of the order.

Acequia del Pueblo de Abiquiu

Subfile Number	Adjudicated Owner(s)
4.47A	KATHERYN M. SUAZO
495	JOSE FERRAN JR.
496	ESTEBAN GARCIA
497	BENJAMIN JARAMILLO
498	MISS ROSENDA TRUJILLO
499	BENITO CORDOVA
500	ROSABEL ARCHULETA
501	JUANITO JARAMILLO
502	EMILIANO LOPEZ
503	CASIMIRO GARCIA
504	SAMMY LOPEZ
505	DONACIANO VIGIL
506	BENITO J. CORDOVA
507	BENJAMIN ARCHULETA
508	VICENTA ESPINOSA
509	BENJAMIN JARAMILLO
510	REMIGIO ARCHULETA
511	MRS. VICENTE ARCHULETA
512	SIMON MARTINEZ III
513	SIMON MARTINEZ JR.
514	MARTIN J. BODE
515	ROSE TRUJILLO
516	REMIGIO CHAVEZ
517	JOSE FERRAN

518	JUAN GARCIA
519	FAUSTINA MOYA
520	GEORGIA O'KEEFE
521	RUBEN VIGIL

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

OFFICE OF THE CLERK

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APR 27 2011

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